

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

RICKIE A. HOLIDAY,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-07-603-D
)	
MICHAEL J. ASTRUE, Commissioner of the)	
Social Security Administration,)	
)	
Defendant.)	

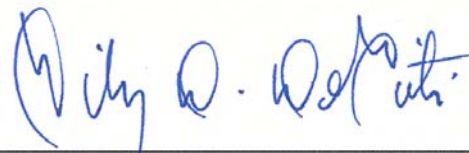
ORDER

This matter is before the Court for review of the Report and Recommendation issued by United States Magistrate Judge Robert E. Bacharach pursuant to 28 U.S.C. § 636(b)(1)(b) and (C). Upon review under 42 U.S.C. § 405(g), Judge Bacharach recommends reversal of the Social Security Administration's decision denying Plaintiff's application for disability insurance benefits, and remand of the matter to the agency for further administrative proceedings.

Because the record reflects no timely written objection, the Court finds the parties have waived further review. *See Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991); *see also United States v. 2121 East 30th Street*, 73 F.3d 1057, 1060 (10th Cir. 1996). The Court further finds that the administrative law judge (ALJ) committed reversible error in the assessment of Plaintiff's severe mental impairments and there is a lack of substantial evidence to support the ALJ's step-four finding that Plaintiff retained the residual functional capacity to perform her past work. Thus, the Court adopts the Report and Recommendation [Doc. 17] in its entirety.

Therefore, the decision of the Commissioner is REVERSED and REMANDED for further proceedings consistent with Judge Bacharach's Report and Recommendation. Judgment will be entered accordingly.

IT IS SO ORDERED this 23rd day of January, 2008.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE